

BASIS FOR AMENDMENTS

Applicants have amended the specification on page 1, lines 5-7, to correct a clerical error. Claim 2 has been rewritten in independent form. No new matter has been added. This amendment cancels, without prejudice, claim 1, thereby placing the application in condition for allowance.

REMARKS

In the Office Action dated February 13, 2003, claims 1-28 were considered and the Examiner rejected claim 1, entered objections to the claims 2-6 and 13-15, and withdrew from consideration the claims 7-12, 16-18, 23-25, 27 and 28. The Examiner's allowance of claims 19-22 and 26 is noted with appreciation. Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,336,934 issued to Gilson et al. ("Gilson"). The Office Action reports objections to the claims 2-6 and 13-15 indicating that each of the claims is dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

1. Withdrawal of Claims 23-25, 27 and 28

The Office Action indicates that independent claim 19 and dependent claims 20-22 are allowed (page 1) and generic (page 2, second paragraph). Withdrawn claims 23-25, 27 and 28 which depend from allowed, generic claim 19 incorporate all of the limitations of generic claim 19. Accordingly, claims 23-25, 27 and 28 are in condition for allowance.



2. Election/Restriction

The Office Action indicates that a provisional election was made without traverse to prosecute the invention of Figure 5, claims 1-6, 13-15, 19-22 and 26. Applicants affirm this election.

Applicants understand that upon allowance of generic claims corresponding to the elected species, withdrawn species claims may be allowed as provided by 37 CFR § 1.141, and as set forth in MPEP § 806.04(h). Accordingly, Applicants respectfully request confirmation that withdrawn claims 7-12, 16-18, 23-25, 27 and 28 will be considered in view of allowed generic claim 19, and upon allowance of generic claims 2-6.

3. Rejection of Claim 1 Under 35 U.S.C. § 102(e)

This amendment cancels, without prejudice, claim 1.

4. Objections to Claims 2-6 and 13-15

The Examiner entered objections to the claims 2-6 and 13-15, indicating that each of the claims is dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims. Applicant respectfully submits that Claim 2 has been rewritten in independent form incorporating some of the limitations of base claim 1. Accordingly, Applicant believes claim 2, and depending claims 3-6 and 13-15 are now in condition for allowance.

CONCLUSION

In view of the amendments to the claims and the arguments presented herein, Applicants submit that, at the least, claims 2-28 of the application are in condition for allowance and request favorable action by the Examiner. If any additional fee is due the

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Director is authorized to charge such fee to deposit account No. 20-0531. If the Examiner believes that a telephone conversation with Applicants' attorney would expedite allowance of this application, the Examiner is cordially invited to call the undersigned attorney at (617)-248-7044.

Respectfully submitted,

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Attachment B
AMENDED SPECIFICATION IN MARK-UP FORMAT

1 This application [is a continuation-in-part application of copending U.S. Serial
2 No. 09/360,654 filed on July 26, 1999 and is based upon] claims the benefit of U.S.
3 Provisional Patent Application Serial No. 60/155,090 filed September 22, 1999.
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Attachment B
AMENDED CLAIMS IN MARK-UP FORMAT

1 2. (Amended) A medical apparatus comprising:
2 an intravascular device having a contracted configuration and an expanded
3 configuration, said intravascular device including an elongate wire receiving unit having an
4 open ended channel extending therethrough for receiving a guidewire, and
5 said guidewire having an elongate body extending along a longitudinal axis
6 between a proximal end and a distal end and [The combination of claim 1 wherein
7 said guidewire includes] an expandable and contractable stop member mounted thereon
8 which is movable between a first contracted position and a second expanded position,
9 said expandable and contractable stop member being [dimensional] dimensioned to
10 pass through said channel in the first contracted position thereof and being dimensioned
11 in the second expanded position thereof to have an outer dimension which is greater
12 than the inner dimension of said channel but less than the outer dimension of said
13 intravascular device in the expanded configuration thereof [whereby said expandable and
14 contractable stop member is radially spaced from the inner wall of said blood vessel in the
15 second expanded position thereof], and said elongate body having an outer dimension
16 which is less than the inner dimension of said channel to permit free movement of
17 said guidewire relative to said intravascular device within said channel in opposite
18 directions along the longitudinal axis of said guidewire.